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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,554	02/15/2002	Chad A. Cobbley	MTI-31591	3265
22202	7590	02/03/2009	EXAMINER	
WHYTE HIRSCHBOECK DUDEK S C INTELLECTUAL PROPERTY DEPARTMENT 555 EAST WELLS STREET, SUITE 1900 MILWAUKEE, WI 53202			TRINH, HOA B	
		ART UNIT	PAPER NUMBER	
		2893		
		MAIL DATE	DELIVERY MODE	
		02/03/2009	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/077,554	COBBLEY ET AL.
	Examiner	Art Unit
	HOA B. TRINH	2893

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 September 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11, 16, 17, 19, 21-32, 34-37, 44-53, 55-76 and 85-88 is/are pending in the application.
- 4a) Of the above claim(s) 21, 22, 25-27, 29-31, 36 and 51-53 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11, 16, 17, 19, 23, 24, 28, 32, 34, 35, 37, 44-50, 55-76 and 85-88 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 February 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Election/Restrictions

1. This application contains claims 21-22, 25-27, 29-31, 36, 51-53, drawn to an invention nonelected with traverse filed on 10/06/2005.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1, 24, 34, 58-59, 61, 85 are rejected under 35 U.S.C. 102(e) as being anticipated by Hofstee et al. (6,541,847; hereinafter as Hofstee).

As to claims 1, 24, 34, 58-59, 61, 85, Hofstee discloses a substrate 20 (fig. 1, 3); a die 12 (fig. 3) situated on the first surface of the substrate 20 and a plurality molded plastic stiffener components 25, 26 (fig. 1, 3) secured to the substrate without attachment with an adhesive element, the stiffener components 25, 26 are inherently to increase rigidity of the substrate 20, wherein the substrate 20 and the stiffener components are separate components that are attached and secured together (fig. 1, 3).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2893

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 2, 9, 16, 28, 37, 60, 35, 44-50, 62-76, 55-57, 85-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofstee in view of McMillan et al. (5,650,593; hereinafter as McMillan).

Hofstee discloses the invention substantially as claimed except that the substrate is made of the listed material as claimed.

McMillan discloses an analogous device having the substrate 12 (fig. 6) made of material such as polymer, polyamide layer, a bismaleimide triazine (BT) resin, an FR4 laminate, an FR5 laminate, a CEM1 laminate, a CEM3 laminate, and a ceramic metal frame (col. 6, lines 10-15).

Therefore, as to claims 2, 37, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Hofstee with the substrate material, as taught by McMillan, for selecting alternative materials. Further, it has been held to be within the general skill of an artisan in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

As to claim 9, McMillan discloses the stiffeners 217 comprises a thermoplastic material (col. 7, lines 30-65).

As to claims 64-66, 75, McMillan teaches that the molded stiffeners 217 are injection molded, or spray molded to the substrate 12 with encapsulating material 120 (fig. 3).

As to claims 16 and 28, McMillan teaches the stiffeners 217 or 17 (fig. 3) have one cross member (fig. 3).

As to claim 17, McMillan teaches the stiffeners 217 or 17 are in a form of a grid, lattice, a grille, and a web (fig. 3).

As to claim 76, McMillan teaches the substrate 12 (fig. 3) has two or more compartments for receiving dies 34 (fig. 3).

As to claims 86-88, similar to the rejection of claim 1, the stiffeners are in the form of strips or plate (fig. 6).

As to claims 35 and 62-63, McMillan's stiffeners 17 are disposed at the periphery of the substrate 12 (fig. 3).

As to claim 47, McMillan teaches that the stiffener 17 (fig. 3) is bonded to the substrate by way of heating, cooling, and curing (col. 7, lines 30-65).

As to claims 44-50, 62-67, 69-76, Hofstee in view of McMillan discloses the molding of the stiffeners 217 on the substrate 12, wherein the stiffeners are formed from injection/spraying molding and then curing the molding material by cooling it for hardening (McMillan, col. 7, lines 30-65). Note that the encapsulating layer 122 is formed (fig. 3) on the stiffeners 17 (fig. 3) and covering the die 34 (fig. 3). As to claim 48, it is inherent once the device is formed singulating or dicing the substrate/leadframe to separate two or more die.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

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4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 3-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofstee.

As to claims 3-8, Hofstee discloses the invention substantially as claimed, except that the teaching of Hofstee does not explicitly teach that the substrate has a range of thickness of less than about 35-75 microns or that the stiffener has a thickness range of less than about 50-100 microns. However, it is well known in the art to vary the thickness of the layers in the semiconductor device. Nonetheless, it would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the substrate with a specific range, since it is a *prima facie* obvious to an artisan for optimization and experimentation with a specific range of thickness because applicant has not yet established any criticality for the specific range.

Note that normally, it is to be expected that a change in temperature, or in thickness, or in time, would be an unpatentable modification. Under some circumstances, however, changes such as these may impart patentability to a process if the particular ranges claimed produce a new and unexpected result which is different in kind and not merely degree from the results of the prior art...such ranges are termed "critical ranges and the applicant has the burden of proving such

criticality.... More particularly, where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation." In re Aller 105 USPQ233, 255 (CCPA 19553.

10. Claims 10,11, 55-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofstee, as applied to claim 1, in view of Admitted Prior Art (APA), figures 1-2 and specification (spec.), pages 1-2.

Hofstee discloses a semiconductor device and method having a substrate 20 a molded stiffener 25, 26 molded onto and secured to the substrate 20 without attachment with an adhesive element.

However, Hofstee does not disclose that the stiffeners are made of a thermosetting material.

APA discloses a semiconductor device and method having a substrate or lead frame 6 (fig. 1 and spec., page 1, line 13); and a stiffener 14 molded to the substrate 6 (fig. 1). See attachment. As to claims 10, 55-57, the molded stiffeners 14 comprise of thermoplastic or thermosetting polymeric material (spec., page 2, line12). Note that the molded stiffener is heated and cool to cure the material for hardening.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Hofstee with the thermosetting material for the stiffeners, as taught by APA, so as to provide an equal desirable material for the stiffener.

As to claim 11, APA teaches that the thermal coefficient of the expansion of the molded stiffeners 14 (fig. 1) and the substrate 6 (fig. 1) correspond such that when heating is applied both the stiffeners and the substrate expand roughly the same. See attachment.

11. Claims 23, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofstee, as applied to claim 1, in view of Gregory (4,710,419).

Hofstee discloses a semiconductor device and method having a substrate 20 a molded stiffener 25, 26 molded onto and secured to the substrate 20 without attachment with an adhesive element, except that the substrate is in a form of a reel.

Gregory discloses a substrate 30 is in a form of a reel (figs. 2-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the substrate of Hofstee with the form of a reel, as taught by APA, for easy packaging.

As to claim 60, Gregory teaches the substrate comprises a leadframe 31 (figs.2-7) for reducing cost.

Response to Arguments

Applicant's arguments filed 09/24/2008, have been fully considered but they are moot in view of the new rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to (Vikki) Hoa B. Trinh whose telephone number is (571) 272-1719. The Examiner can normally be reached from Monday-Friday, 9:00 AM - 5:30 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Ms. Davienne Monbleau, can be reached at (571) 272-1945. The office fax number is 571-273-8300.

Any request for information regarding to the **status** of an application may be obtained from the **Patent Application Information Retrieval (PAIR) system**. Also, status information for published applications may be obtained from either Private PAIR or Public Pair. In addition, status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. If you have questions pertaining to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Lastly, paper copies of cited U.S. patents and U.S. patent application publications have ceased to be mailed to applicants with Office actions since June 2004. Paper copies of foreign patents and non-patent literature will continue to be included with office actions. These cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. Applicants are referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197 for information on this policy.

Requests to restart a period for response due to a missing U.S. patent or patent application publications will not be granted.

/(Vikki) Hoa B Trinh/

Examiner, Art Unit 2893